

**BRANDON MICHAEL PICKENS,**

**Plaintiff,**

**vs.**

**ROBERT LEWIS, et al.,**

**Defendants.**

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Before a case may be dismissed based on failure to effectuate service, the Court must first ensure that the U.S. Marshal has used reasonable efforts to locate and obtain service on the named defendants. See Greene v. Holloway, No. 99-7380, 2000 WL 296314, at \*1 (4th Cir. Mar. 22, 2000) (where the district court dismissed a defendant in a Section 1983 action based on the prisoner's failure to provide an address for service on a defendant who no longer worked at the sheriff's office, remanding so the district court could "evaluate whether the marshals could have served [Defendant] with reasonable effort"). Therefore, this Court will instruct the U.S. Marshal to use reasonable efforts to locate and obtain service on Defendants John S. Carbone and Jennie Lancaster.

**IT IS THEREFORE ORDERED THAT:**

- (1) Within 30 days of this Order, the U.S. Marshal shall use reasonable efforts to locate and obtain service on Defendants John S. Carbone and Jennie Lancaster and in accordance with Fed. R. Civ. P. 4. If the U.S. Marshal is unable to locate and obtain and service on these Defendants within this time period, the U.S. Marshal shall inform the Court of the efforts taken to locate and serve these Defendants.
- (2) The Clerk is respectfully instructed to mail a copy of this Order to the U.S. Marshal.

Signed: February 28, 2007



Frank D. Whitney  
Chief United States District Judge

